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STATE WATER RESOURCES
CONTROL BOARD
2014 MAR 16 PM 12:49
DIV OF WATER RIGHTS
SACRAMENTO

Via email and US mail
Oscar Biondi
Water Quality Certification Program
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812

April 14, 2014

Re Emergency Drought Barriers Project

Dear Mr. Biondi,

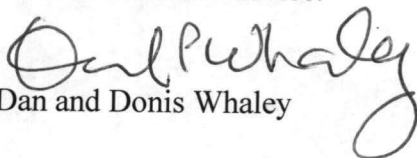
Please deny this application by the California DWR.

The basis for the denial is the following unaddressed significant adverse cumulative impacts and effects:

1. The applicant has failed to demonstrate or provide reliable science that the barriers will significantly prevent salt water intrusion into the Delta. Examining figure 1 on page A-4, the untrained eye can see that even if the barriers did slow some salt water intrusion, they are essentially sacrificing everything southwest of the barriers to save those properties to the north. This decision was not identified or discussed, nor is this a proper use of public funds. The applicant has failed to demonstrate that installing the barriers will not further cause CWA violations.
2. The barriers will immediately affect water quality, not just on the surface of the sloughs, but will have adverse hydrological effects on Sutter Island itself. The applicant's barriers will create stagnant sloughs on 75% of the navigable waterways surrounding Sutter Island. This is unprecedented and unexplored science, with the realistic potentially for long lasting, unavoidable and irreparable damages to Sutter Island. In addition, the potential damages to the subsurface water table have not been analyzed nor has the effect on the levies been determined.

3. The applicant failed to analysis the cumulative effects of erecting these barriers on the environment, including traffic on land and water, as well as the negative impact on the native fish as well as endangered fish species.
4. The applicant foundation for going forward is that because they did this once before in 1977 on one slough, that they can use that data to support closing two sloughs that surround one Island (Sutter Island). Even for a non-scientist, this evaluation seems fatally flawed. The foreseeable damages of slit build up and the damage potential by cutting off water flow without any definite public benefit, makes this 40 million dollars project one you should deny approval/permitting.
5. Looking specifically at the project, the applicant did not consider the cumulative effect of construction of the barriers will have on the communities of Hood and Courtland. The identified rock storage in the town of Hood is a small parcel without access for semi-truck turn around. Trucks must also ingress or egress directly onto State Highway 160 at a near 90 degree turns without visibility. In addition, the traffic, noise, and air pollution effect has not been evaluated. The town of Hood has no sewer system or public restrooms and has only one unopened restaurant. The town of Courtland has a public sewer system, but no public restrooms and only one part-time restaurant. Neither town has a traffic signal light, but merely 4 or 5 stop signs in the entire town. As the landowner adjacent to the Hood rock storage parcel, we do not agree to have a nuisance of rock piles, dirt, dust and traffic, affecting our adjacent property. We have spent thousands of dollars improving our parcels, including approval by the Sacramento County General Plan and Zoning Code to allow wine and beer making and wine and beer tasting. These are not compatible uses with rock storage and removal. In addition the State of California has a Water Testing Facility on this small rock storage parcel that would be compromised by any barge loading or unloading or any pollution into the water.
6. Finally, the applicant has failed to analysis project alternatives, including not building the barriers and instead educating the public on strict water conservation. Lawns and parks are still being watered in Sacramento and though out the Valley. Despite these uses, the State seeks to potentially permanently destroy a 2,500 acre Delta Island to possibly slow some salt water intrusion. In addition the circumstances by which this project was initially designed have changed. The initial emergency basis for this barrier project no longer exists. Some significant rain fall has occurred and the reservoirs and snow pack suggest that with careful management and no pumping water to Southern California, the danger of salt water infusion can be avoided.

Please review and advice.


Dan and Donis Whaley